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Attorney Docket No.: 60188-613
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Tetsuzo UEDA et al. : Customer No.20277
Serial No.: 10/600,659 : Confirmation No.: 6152
Filed: June 23, 2003 : Group Art Unit: 2814
For: SEMICONDUCTOR LIGHT-EMITTING DEVICE, METHOD FOR : Examiner: ANH D. AMI
FABRICATING THE SAME AND METHOD FOR BONDING THE SAME

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the further restriction requirement set forth in the Office Action mailed September 14, 2004, having a shortened statutory period for response set to expire October 14, 2004, wherein the Examiner required restriction between the following distinct Species:

Species 1 (Group IIA) - Claims 15-30, method of making a semiconductor light-emitting device; and

Species 2 (Group IIB) - Claims 31-33, method for die bonding.

Applicants elect without traverse, Species 1 (Group IIA) – with claims 15-30 readable thereon, for initial prosecution on the merits.

Applicants also reserve the right to file a Divisional Application for the non-elected claims 1-14 and 31-33, which the Examiner has indicated is patentably distinct.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 10/7/04

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